IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

–

–

THURSDAY, THE ELEVENTH DAY OF AUGUST

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17782 OF 2005

Between:

Sri Anjaneyaswamy Temple,

Represented by its Chairman,

Gotlur village, Dharmavaram Mandal,

Anantapur district. … Petitioner

Versus

The Revenue Divisional Officer,

Dharmavaram, Anantapur district

& Anr. … Respondents

O R D E R :

Questioning the action of the respondents in trying to dispossess the temple land admeasuring Acs:9-45 cents in survey no.63, situate at Gotluru village, Dharmavaram Revenue village and Mandal, Anantapur district and issuing pattas to the third parties without issuing any notice to the petitioner-committee or without informing the villagers and without following due process of law, as arbitrary, illegal and in violation of the principles of natural justice. The main grievance of the petitioner is that the land admeasuring Acs:9-45 cents in survey no.63 under patta no.1080, situate at Gotluru village, Dharamavaram Revenue Mandal, Anantapur district belonged to Sri Gotluru Anjaneyaswamy temple and the villagers of Gotluru are managing the temple through the temple committee. Now the temple committee is cultivating the land by leasing the same to various ryots and the amount is utilized

for the purpose of development of the temple. The revenue records also reveal that the said land belongs to the petitioner-temple.

While things stood thus, the second respondent at the instance of some political leaders is interfering with the possession and enjoyment over the said land and trying to issue pattas to third parties without considering the fact that the villagers are cultivating the said lands continuously from the time immemorial. Therefore, the action of the second respondent in trying to dispossess the petitioner-temple over the said extent of land, without due process of law, as arbitrary, illegal and in violation of the principles of natural justice. Considering the facts and circumstances of the case, without going into merits or otherwise, I deem it appropriate to dispose of the writ petition at the admission stage, directing the respondents not to dispossess or interfere with the possession and enjoyment over the land admeasuring Acs:9-45 cents in survey no.63, situate at Gotluru village, Dharmavaram Revenue village and Mandal, Anantapur district, without following due process of law. However, this order does not preclude the respondents from contemplating any action established under law or due process of law.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

AUGUST 11th, 2005. ----------

I S L. ELIPE DHARMA RAO, J.